

Minutes of the November 8, 2006, Energy Commission Business Meeting.

The meeting was called to order at 10:00 by Chairman Jackalyne Pfannenstiel.

The Pledge of Allegiance was lead by Chairman Pfannenstiel.

Present:

Jackalyne Pfannenstiel, Chairman  
Arthur H. Rosenfeld  
John L. Geesman  
Jeffrey D. Byron

Chairman Pfannenstiel announced that Item 9 and Item 10 have been withdrawn from the agenda.

1. CONSENT CALENDAR. (Items on the Consent Calendar will be taken up and voted on as a group. A Commissioner may request that an item be moved and discussed later in the meeting.)
  - a. RESEARCH CONFERENCE ON GASOLINE AND OIL MARKETS. Possible approval of a co-sponsorship for \$3,000, staff time, and use of the Energy Commission's name for the University of California Energy Institute's Center for the Study of Energy Markets' *Research Conference on Gasoline and Oil Markets* December 1, 2006, in Berkeley, California. (ERPA funding). Contact: Chuck Mizutani.
  - b. BOTTLE ROCK POWER, LLC. Possible approval of a name change for Bottle Rock Power Corporation, the recipient of a Geothermal Resources Development grant (Resolution No. 06-0215-02), to Bottle Rock Power, LLC. There is no change in the technical personnel, scope of the project, or funding requested. Contact: Hassan Mohammed
  - c. ROBERT BOSCH CORPORATION. Possible approval of Amendment 1 to Memorandum of Understanding 600-05-004 with Robert Bosch Corporation for a no-cost, one-year time extension. Under this agreement, Robert Bosch Corporation will loan the Energy Commission up to 14 light duty diesel vehicles (at no cost to the Energy Commission) to demonstrate advanced clean diesel cars to Commissioners, staff, and key legislative staff and to evaluate their impressions of diesel cars. Contact: Gary Yowell.
  - d. SMITHER'S SCIENTIFIC SERVICES, INC. Possible approval of Amendment 1 to Contract 600-04-017 for a no-cost, one-year time extension to complete work on the *Low Rolling Resistance Tire Study*. The remaining tasks include analysis of the rolling resistance testing, development of a plan to compare low and high rolling resistance, tire recycling, and final reports. Contact: Mike Trujillo.

- e. CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD (CIWMB). Possible approval of Amendment 1 to Contract R600-03-039 for a no-cost time extension, allowing the Energy Commission to accept funding from CIWMB to complete work on the *Low Rolling Resistance Tire Study*. The remaining tasks include the analysis of the rolling resistance testing, development of a plan to compare low and high rolling resistance, tire recycling, and final reports. Contact: Mike Trujillo.

*Commissioner Rosenfeld moved and Commissioner Byron seconded approval of the consent calendar. The vote was unanimous. (4-0)*

## 2. EASTSHORE ENERGY CENTER PROJECT.

- a. Possible approval of the Executive Director's data adequacy recommendation for Eastshore Energy's Application for Certification of the Eastshore Energy Center Project (Docket 06-AFC-6). Contact: Lorne C. Prescott. (10 minutes)

*Commissioner Geesman moved and Commissioner Byron seconded approval of the Executive Director's data adequacy recommendation. The vote was unanimous. (4-0)*

- b. Possible committee assignment for the Eastshore Energy Center Project.

*Chairman Pfannenstiel assigned Commissioner Byron as presiding member and Commissioner Geesman as second member of the committee for the Eastshore Energy Center Project. Commissioner Rosenfeld moved and Commissioner Byron seconded approval of the committee assignment. The vote was unanimous. (4-0)*

## 3. HUMBOLDT BAY REPOWERING PROJECT.

- a. Possible approval of the Executive Director's data adequacy recommendation for Pacific Gas & Electric Company's Application for Certification of the Humboldt Bay Repowering Project (Docket 06-AFC-7). Contact: John S. Kessler. (10 minutes)

*Commissioner Geesman moved and Commissioner Byron seconded approval of the Executive Director's data adequacy recommendation. The vote was 3-0. Chairman Pfannenstiel recused herself.*

- b. Possible committee assignment for the Humboldt Bay Repowering Project.

*Chairman Pfannenstiel assigned Commissioner Geesman as presiding member and Commissioner Byron as second member of the committee for the Humboldt Bay Repowering Project. Commissioner Rosenfeld moved and Commissioner Byron seconded approval of the committee assignment. The vote was 3-0. Chairman Pfannenstiel recused herself.*

4. PANOCHE ENERGY CENTER.

- a. Possible approval of the Executive Director's data adequacy recommendation for the Panoche Energy Center (Docket 06-AFC-7). Contact: James W. Reede, Jr. (10 minutes)

*Commissioner Geesman moved and Commissioner Byron seconded approval of the Executive Director's data adequacy recommendation. The vote was unanimous. (4-0)*

- b. Possible committee assignment for the Panoche Energy Center.

*Chairman Pfannenstiel assigned Commissioner Byron as presiding member and Commissioner Boyd as second member of the committee for the Panoche Energy Center. Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of the committee assignment. The vote was unanimous. (4-0)*

5. PETERS SHORTHAND REPORTING CORPORATION. Possible approval of Amendment 4 to Contract 150-04-002, adding \$50,000 through July 2007 to continue reporting services for Commission hearings, workshops and other meetings. (ERPA funding). Contact: Susanne Garfield-Jones. (10 minutes)

*Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of Amendment 4 to Contract 150-04-002. The vote was unanimous. (4-0)*

6. THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, MERCED. Possible approval of a clause to clarify the selection and use of royalty payment provisions in contract 500-05-021 with the Regents of the University of California, Merced. Contact: Michael Lozano (10 minutes)

*Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of the new clause in Contract 500-05-021. The vote was unanimous. (4-0)*

7. LANDFILLS +, INC. Possible approval of Amendment 1 to Contract 500-05-039 with Landfills +, Inc. to extend the contract one year and change the terms and conditions. The time extension is needed because Landfills +, Inc. was delayed in finalizing the subcontracts due to the retention requirement under the terms and conditions. The change to the terms and conditions will remove the 10 percent retention requirement from the two public subcontractors, U. S. Department of Agriculture and Florida State University. The Contractor's own expenditures will remain subject to the 10 percent requirement. Contact: Brian Ellis. (10 minutes)

*Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of Amendment 1 to Contract 500-05-039. The vote was unanimous. (4-0)*

8. UNIVERSITY OF CALIFORNIA, BERKELEY. Possible approval of Contract 600-06-001 for \$16,039 with the University of California, Berkeley, to conduct a macro-economic impact study of government initiatives to increase the use of alternative transportation fuels in California. Required for the AB 1007 report, this study will inform

decision makers about possible economic impacts of higher use of alternative transportation fuels, quantifying the impact to various industries and consumers. (ERPA funding.) Contact: Asish Gautam. (10 minutes)

*Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of Contract 600-06-001. The vote was unanimous. (4-0)*

9. CALIFORNIA DEPARTMENT OF VETERANS AFFAIRS. Possible approval of a contract for \$300,000 to lease approximately 4,289 square feet of office space from December 1, 2006 through June 30, 2009, at the California Department of Veteran's Affairs building, 1267 "O" Street in Sacramento. (ERPA funding.) Contact: Jerome Lee. (10 minutes)

*The item was withdrawn from the agenda.*

10. ELECTRICITY CONSUMPTION SURCHARGE RATE. Possible approval of the Electricity Consumption Surcharge Rate for calendar year 2007. Chapter 1124, Statutes of 2002, authorizes the Energy Commission to set the electricity consumption surcharge rate at a public meeting each November for the calendar year beginning in the following January. Contact: Randy Roesser. (10 minutes)

*The item was withdrawn from the agenda.*

11. **Minutes**  
Approval of the October 30, 2006, Business Meeting Minutes.

*Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of the October 30, 2006 minutes. The vote was unanimous. (4-0)*

12. **Commission Committee Presentations/Discussion** – None.
13. **Chief Counsel's Report** Assistant Chief Counsel Jonathan Blees discussed the recent Federal District Court decision on the U. S. Department of Energy's establishment of energy efficiency standards for appliances.
14. **Executive Director's Report** – None.  
Commissioner Geesman requested the Executive Director to respond to a letter from the California Wind Energy Association to Chairman Pfannenstiel and copied to the other Commissioners.
15. **Legislative Director's Report** – None.
16. **Public Adviser's Report** – Public Adviser Margret Kim reported that the revised Siting Guidebook will be printed next week.
17. **Public Comment** – None.

There being no further business, the meeting was adjourned.

Appearances:

Mr. Jesus Armas, City of Hayward (by telephone)  
Mr. Greg Trewitt, Tierra Energy  
Ms. Jane Luckhardt, Downey Brand  
Mr. Scott Galati, Galati & Blek, LLP  
Mr. Gregory Lamberg, Pacific Gas and Electric Company  
Mr. David Jenkins, Panoche Energy Center, LLC

Respectfully submitted,

HARRIET KALLEMEYN  
Secretariat